



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

ANDERSEN *et al.*

Appln. No.: 09/667,188

Filed: September 21, 2000

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: 1634

Examiner: D. Gunter

Atty. Docket: 16517.001/38-21(51464)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed January 29, 2003, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter.

Respectfully submitted,

Lawrence M. Lavin, Jr. (Reg. Attorney No. 30,768)
by David R. Marsh (Reg. Attorney No. 41,408)

Date: April 28, 2003

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April 28, 2003

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Commissioner for Patents
Washington, DC 20231

Re: U.S. Application No. 09/667,188
Filed: September 21, 2000
Title: Nucleic Acid Molecules and Other Molecules Associated
with Plants
Applicants: ANDERSEN *et al.*
Atty. Docket: 16517.001/38-21(51464)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office (PTO):

1. a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants request that the following fee be charged to Deposit Account No. 50-2387 referencing docket number 16517.001/51464B:

\$ 320.00 notice of appeal fee

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the notice of appeal fee (\$320), are due in conjunction with this filing. However, if any additional fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No.

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Commissioner for Patents
Atty. Docket: 16517.001/51464B
April 28, 2003
Page 2

50-2387 referencing matter number 16517.001/51464B. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. R. Marsh". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

David R. Marsh (Reg. Attorney No. 41,408)
Holly L. Prutz (Reg. Attorney No. 47,755)
Danielle M. Edwards (Reg. Agent No. 51,645)

Enclosures